

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

NORMAN GERALD DANIELS III,

Plaintiff,

vs.

A. BAER, et al.,

Defendants.

1:19-cv-01801-AWI-GSA-PC

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS IN FULL
(ECF No. 13.)**

**ORDER DENYING PLAINTIFF'S
MOTION TO REMAND
(ECF No. 7.)**

Norman Gerald Daniels III ("Plaintiff") is a state prisoner proceeding *pro se* and *in forma pauperis* with this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On July 8, 2020, [findings and recommendations](#) were issued, recommending that Plaintiff's motion to remand this case to state court, filed on February 3, 2020, be denied.¹ (ECF No. 13.) The parties were granted fourteen days in which to file objections to the findings and recommendations. (*Id.*) The time for filing objections has now expired, and no objections to the findings and recommendations have been filed.

¹ Plaintiff titled the motion to remand "motion for summary judgment," but the court construed it as a motion to remand. (ECF No. 13 at 1:27-2:2.)

1 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule 304, this
2 court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the
3 court finds the findings and recommendations to be supported by the record and proper analysis.

4 Accordingly, **THE COURT HEREBY ORDERS** that:

- 5 1. The findings and recommendations issued by the Magistrate Judge on July 8,
6 2020, are ADOPTED IN FULL;
- 7 2. Plaintiff's motion to remand this case to state court, filed on February 3, 2020, is
8 DENIED; and
- 9 3. This case is referred back to the Magistrate Judge for further proceedings.

10 IT IS SO ORDERED.

11 Dated: August 10, 2020

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13 SENIOR DISTRICT JUDGE
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